

AN ACT

ENTITLED, An Act to permit persons arrested for certain boating violations to be released upon execution of a promise to appear in court or upon furnishing a bond and to provide a penalty for failure to appear in court.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 42-8 be amended by adding thereto a NEW SECTION to read as follows:

If any resident of the state is arrested for a violation of any provision of this chapter or chapter 32-3A, punishable as a Class 2 misdemeanor, the arresting officer shall obtain the name and address of the person and information relative to the violation and issue the person a summons in writing to appear in court. The officer shall release the resident from custody upon receiving from the person a written promise to appear at the time and place designated by the officer.

If any nonresident is arrested for a violation of any provision of this chapter or chapter 32-3A, punishable as a Class 2 misdemeanor, the arresting officer shall obtain the name and address of the person and information relative to the violation. The arresting officer may issue the person a summons in writing to appear in court or may require the nonresident to furnish a bond in the amount set forth on the fine and bond schedule provided by the presiding circuit court judge, or in an amount set by a magistrate or judge for that offense, before being released from custody. If the officer issues the nonresident a summons in writing to appear in court the officer shall release the nonresident from custody upon receiving from the person a written promise to appear at the time and place designated by the officer.

Any person who intentionally violates the written promise to appear, given in accordance with the provisions of this section, is guilty of a Class 2 misdemeanor.

An Act to permit persons arrested for certain boating violations to be released upon execution of a promise to appear in court or upon furnishing a bond and to provide a penalty for failure to appear in court.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1033

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1033
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State